



COMBINED DECLARATION AND POWER OF ATTORNEY
FOR PATENT APPLICATION

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As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled OPTICAL RADIATION SENSOR SYSTEM AND METHOD FOR MEASURING RADIATION TRANSMITTANCE OF A FLUID the specification of which ☐ is attached hereto ☒ was filed on June 18, 2001 as United States Application No. or PCT International Application No. _____ and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR §1.56.

I hereby claim foreign priority benefits under 35 U.S.C. §119(a)-(d) or §365(b), of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT international application which designates at least one country other than the United States, listed below and have also identified below any foreign application for patent or inventor's certificate, or PCT international application having a filing date before that of the application on which priority is claimed:

<u>Country</u>	<u>Application No.</u>	<u>Filed (Day/Mo./Yr.)</u>	<u>(Yes/No)</u> <u>Priority Claimed</u>
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I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

<u>Application No.</u>	<u>Filed (Day/Mo./Yr.)</u>
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60/211,971

16 June 2000

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s), or § 365(c) of any PCT international application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first

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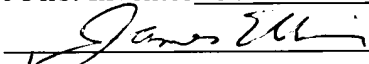
paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

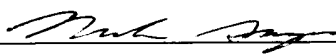
<u>Application No.</u>	<u>Filed (Day/Mo./Yr.)</u>	<u>Status</u> (Patented, Pending, Abandoned)
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I hereby appoint the practitioners associated with the firm and Customer Number provided below to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, and direct that all correspondence be addressed to the address associated with that Customer Number:

KATTEN MUCHIN ZAVIS
Customer Number: 27160

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of Sole or First Inventor James W. Ellis
Inventor's signature 
Date June 23/01 Citizen/Subject of Canada
Residence 8 Meadowview Road, London, Ontario, Canada N6J 4E6
Post Office Address same as residence

Full Name of Second Joint Inventor, if any Mike Sasges
Second Inventor's signature 
Date 20 JUNE 2001 Citizen/Subject of Switzerland CAN 907
Residence 880 Kipps Lane, London, Ontario, Canada N5Y 5K4
Post Office Address same as residence

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Full Name of Third Joint Inventor, if any Peter Van Doodewaard

Third Inventor's signature P. V. Doodewaard

Date _____ Citizen/Subject of Canada

Residence 53 Kirk Drive, London, Ontario, Canada N6P 1E2
~~18 Marlene Street, St. Thomas, Ontario, Canada N5R 1B3~~

Post Office Address same as residence

Full Name of Fourth Joint Inventor, if any Alex Verdun

Fourth Inventor's signature A. Verdun

Date June 20, 2001 Citizen/Subject of Canada

Residence 542 Cayley Drive, London, Ontario, Canada N6H 3G6

Post Office Address same as residence

INTELLECTUAL PROP/291746 1

June 19, 2001

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY
STATUS (37 CFR 1.9(f) AND 1.27 (c)) - SMALL BUSINESS CONCERN**

Docket No.

Serial No.

Filing Date

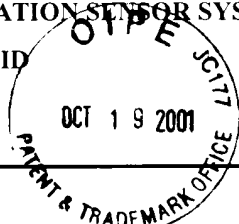
June 18, 2001

Patent No.

Issue Date

Applicant/ **TROJAN TECHNOLOGIES INC.**

Patentee:

 Invention: **OPTICAL RADIATION SENSOR SYSTEM AND METHOD FOR MEASURING RADIATION
TRANSMITTANCE OF A FLUID**


I hereby declare that I am:

- ☐ the owner of the small business concern identified below:
- ☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN: Trojan Technologies Inc.ADDRESS OF CONCERN: 3020 Gore Road, London, Ontario, Canada N5V 4T7

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the above identified invention described in:

- ☐ the specification filed herewith with title as listed above.
- ☒ the application identified above.
- ☐ the patent identified above.

If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed on the next page and no rights to the invention are held by any person, other than the inventor, who could not qualify as an independent inventor under 37 CFR 1.9(c) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

- ☒ no such person, concern or organization exists.
☐ each such person, concern or organization is listed below.

FULL NAME _____
 ADDRESS _____

☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

FULL NAME _____
 ADDRESS _____

☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

FULL NAME _____
 ADDRESS _____

☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

FULL NAME _____
 ADDRESS _____

☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING: Martin J. Bracken

TITLE OF PERSON SIGNING _____

OTHER THAN OWNER: Intellectual Property Specialist

ADDRESS OF PERSON SIGNING: _____

SIGNATURE: _____

Martin J. Bracken

DATE: _____

June 20, 2001